

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

THOMAS CAMBELL, # 62117

PETITIONER

vs.

CIVIL ACTION NO.: 3:16-CV-130-HTW-LRA

MARSHALL FISHER

RESPONDENT

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CASE**

This matter comes before this court pursuant to the Report and Recommendation of the United States Magistrate Judge Linda Anderson [**Docket no. 15**] and the written objection of the petitioner to the proposed findings and recommendation [Docket no. 14]. Based upon the evidence therein contained, this court, having given full consideration to the aforesaid objection, finds the same not well taken. Therefore, the Report and Recommendation of the United States Magistrate Judge [**Docket no. 15**] is hereby ADOPTED as the order of this court.

Further, this court finds the Motion to Dismiss [**Docket no. 13**] filed by the Respondent to be well taken and hereby DISMISSES this lawsuit without prejudice. The parties are to bear their own costs.

SO ORDERED, this this 29TH day of November, 2016.

**s/ HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE**